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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

FIRST APPEAL NO. 1154 OF 2007

Office Notes, Office Memoranda of Coram, appearances, Court's Orders or directions and Registrar's Orders	Court's or Judge's Orders

Mr.H.V.Mehta for the appellant.

Smt. Rita Joshi i/by Mr. A.D.Shetty for the respondent.

CORAM : ANOOP V. MOHTA,J.

DATED : 18th September, 2007.

P.C.

1. This is an appeal filed by the Employees' State Insurance Corporation. Considering the reports as well as the material available on record, the finding as arrived at that the applicant failed to prove that the establishment is not covered under the ESI Act, cannot be said to be perverse and contrary to the record. Considering the limitation under the Act to entertain such appeal, I am of the view that the order as passed

by the ESI Court is within the framework of law and record and therefore, as there are no questions of law, the submission that the adverse interference should be drawn against the appellant as they failed to bring the record and material is of no assistance in the present case.

2. Appeal is, therefore, dismissed.

[ANOOP V. MOHTA, J.]